

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** Chair Gary MacLaren, on March 22, 2011 at 3:00 PM, in Room 172  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Gary MacLaren, Chair (R)  
Rep. Michael (Mike) More, Vice Chair (R)  
Rep. Michele Reinhart, Vice Chair (D)  
Rep. Dick Barrett (D)  
Rep. Bryce Bennett (D)  
Rep. Tom Berry (R)  
Rep. Edward Greef (R)  
Rep. Pat Ingraham (R)  
Rep. James Knox (R)  
Rep. Steve Lavin (R)  
Rep. Sue Malek (D)  
Rep. Mary McNally (D)  
Rep. Jerry O'Neil (R)  
Rep. Derek Skees (R)  
Rep. Wayne Stahl (R)  
Rep. Gordon Vance (R)

**Members Excused:** Rep. Liz Bangerter (R), Rep. Kris Hansen (R), Rep. Matthew M.  
Rosendale Sr (R), Rep. Kathy Swanson (D)

**Members Absent:** None

**Staff Present:** Helen Thigpen, Legislative Branch  
Phoebe Williams, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Executive Action: SB 91; SB 108; SB 180; SB 183; SB 222; SB 236; SB 248; SB 275; SB 173;  
SB 117; SB 191

**EXECUTIVE ACTION ON SB 91**

00:02:57     **Motion:** Rep. More moved that **HR 91 BE CONCURRED IN.**

**Discussion:**

00:03:07     Helen Thigpen

00:03:51     **Vote:** Motion carried unanimously by voice vote. Rep. Bangerter, Rep. Hansen, Rep. Stahl, Rep. Rosendale and Rep. Swanson voted by proxy. Rep. McNiven will carry the bill.

**EXECUTIVE ACTION ON SB 108**

00:04:18     Helen Thigpen

00:05:07     **Motion:** Rep. More moved that **SB 108 BE CONCURRED IN.**

**Discussion:**

00:05:17     Helen Thigpen

00:06:21     Rep. Hansen

00:07:14     Rep. MacLaren

00:07:28     **Motion:** Rep. Hansen moved that **SB 108 BE AMENDED.**

[\*\*EXHIBIT\*\*](#)(loh64a01)

00:07:51     Rep. Reinhart

00:08:01     Rep. MacLaren

00:08:10     **Vote:** Motion carried unanimously by voice vote. Rep. Bangerter, Rep. Stahl, Rep. Rosendale, and Rep. Swanson voted by proxy.

00:08:27     **Motion:** Rep. More moved that **SB 108 BE CONCURRED IN AS AMENDED.**

00:08:48     **Motion:** Rep. Reinhart moved that **SB 108 BE AMENDED.**

[\*\*EXHIBIT\*\*](#)(loh64a02)

**Discussion:**

00:09:37     Rep. Moore

00:09:40     Rep. Bangerter joined meeting

00:10:18     **Vote:** Motion failed 7-13 by roll call vote with Rep. Barrett, Rep. Bennett, Rep. MacLaren, Rep. Malek, Rep. McNally, Rep. Reinhart and Rep. Swanson voting aye. Rep. Rosendale, Rep. Stahl and Rep. Swanson voted by proxy.

00:11:41     Rep. MacLaren

00:11:46     **Vote:** Motion carried 14-6 by voice vote with Rep. Barrett, Rep. Bennett, Rep. McNally, Rep. Malek, Rep. Reinhart and Rep. Swanson voting no. Rep. Rosendale, Rep. Stahl and Rep. Swanson voted by proxy. Rep. Vance will carry the bill.

**EXECUTIVE ACTION ON SB 180**

00:13:12 Rep. Stahl joined meeting

00:13:13 Helen Thigpen

00:13:38 **Motion/Vote:** Rep. More moved that **SB 180 BE CONCURRED IN**. Motion carried 19-1 by voice vote with Rep. Malek voting no. Rep. Rosendale, Rep. Stahl and Rep. Swanson voted by proxy. Rep. Lavin will carry the bill.

**EXECUTIVE ACTION ON SB 183**

00:15:32 **Motion:** Rep. More moved that **SB 183 BE CONCURRED IN**.

**Discussion:**

00:15:38 Helen Thigpen

00:16:41 Rep. Moore

00:17:23 Rep. Reinhart

00:18:51 **Vote:** Motion carried 12-8 by roll call vote with Rep. Barrett, Rep. Bennett, Rep. MacLaren, Rep. Malek, Rep. McNally, Rep. O'Neil, Rep. Reinhart and Rep. Swanson voting no. Rep. Rosendale and Rep. Swanson voted by proxy. Rep. More will carry the bill.

**EXECUTIVE ACTION ON SB 191**

00:20:42 Helen Thigpen

00:21:17 Rep. MacLaren

00:21:22 **Motion:** Rep. More moved that **SB 191 BE CONCURRED IN**.

**Discussion:**

00:21:28 Rep. Knox

00:21:59 Rep. Barrett

00:22:59 Rep. Bennett

00:23:49 Rep. Malek

00:24:30 Rep. Lavin

00:24:49 Rep. MacLaren

00:25:19 Rep. Reinhart

00:26:43 **Vote:** Motion failed 6-14 by roll call vote with Rep. Barrett, Rep. Bennett, Rep. Malek, Rep. McNally, Rep. Reinhart and Rep. Swanson voting aye. Rep. Berry, Rep. Rosendale and Rep. Swanson voted by proxy.

00:27:52 **Motion/Vote:** Rep. Bangerter moved that **SB 191 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 222**

00:28:51 Helen Thigpen

00:29:49 **Motion:** Rep. More moved that **SB 222 BE CONCURRED IN.**

00:29:57 **Motion:** Rep. Di. Barrett moved that **SB 222 BE AMENDED.**

**EXHIBIT**(loh64a03)

**Discussion:**

00:31:00 Rep Berry

00:31:35 Rep Knox

00:31:55 Rep Bennett

00:32:12 Rep Barrett

00:32:42 Rep Skees

00:33:02 Rep Reinhart

00:33:21 Rep Malek

00:33:42 **Vote:** Motion failed 10-10 by roll call vote with Rep. Bangerter, Rep. Barrett, Rep. Bennett, Rep. Greef, Rep. Hansen, Rep. Malek, Rep. McNally, Rep. O'Neil, Rep. Reinhart and Rep. Swanson voting aye. Rep. Rosendale and Rep. Swanson voted by proxy.

00:35:31 Rep. Berry

00:34:55 **Motion/Vote:** Rep. Reinhart moved that **SB 222 BE AMENDED.** Motion carried unanimously by voice vote of those present and voting.

**EXHIBIT**(loh64a04)

00:35:59 **Motion/Vote:** Rep. More moved that **SB 222 BE CONCURRED IN AS AMENDED.** Motion carried 19-1 by voice vote with Rep. O'Neil voting no. Rep. Rosendale and Rep. Swanson voted by proxy. Rep. Knox will carry the bill.

**EXECUTIVE ACTION ON SB 236**

00:37:01 Helen Thigpen

00:38:18 **Motion:** Rep. More moved that **SB 236 BE CONCURRED IN.**

00:38:25 **Motion:** Rep. More moved that **SB 236 BE AMENDED.**

**EXHIBIT**(loh64a05)

**Discussion:**

00:39:40 Rep. Reinhart

00:40:02 Rep. Moore

00:40:31 Rep. Reinhart

00:40:37 Rep. Moore

00:40:51 Helen Thigpen

00:41:46 Rep. Barrett

00:41:54 Rep. Bangerter

00:42:07 Rep. Moore

00:43:11 Rep. Barrett  
00:44:16 Rep. Moore  
00:45:11 Rep. Barrett  
00:45:22 Rep. Moore

00:45:39 Rep. More withdrew his motion.

00:45:54 Rep. MacLaren

00:46:05 **Vote:** Motion carried 14-6 by roll call vote with Rep. Barrett, Rep. Bennett, Rep. Malek, Rep. McNally, Rep. Reinhart and Rep. Swanson voting no. Rep. Bangerter, Rep. Rosendale and Rep. Swanson voted by proxy. Rep. Blasdel will carry the bill.

### **EXECUTIVE ACTION ON SB 248**

00:47:32 Helen Thigpen

00:48:05 **Motion/Vote:** Rep. More moved that **SB 248 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Bangerter, Rep. Rosendale and Rep. Swanson voted by proxy. Rep. Ingraham will carry the bill.

### **EXECUTIVE ACTION ON SB 275**

00:48:47 Helen Thigpen

00:49:22 **Motion/Vote:** Rep. More moved that **SB 275 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Bangerter, Rep. Rosendale and Rep. Swanson voted by proxy. Rep. MacLaren will carry the bill.

### **EXECUTIVE ACTION ON SB 173**

00:50:34 Helen Thigpen

00:51:40 **Motion:** Rep. More moved that **SB 173 BE CONCURRED IN**.

### **Discussion:**

00:51:49 Rep. Reinhart  
00:56:17 Rep. Skees  
00:56:31 Rep. Reinhart  
00:57:45 Rep. Skees  
01:01:41 Rep. Barrett  
01:03:59 Rep. Moore  
01:04:38 Mark Staples  
01:05:24 Rep. O'Neil  
01:05:47 Rep. Berry  
01:06:20 Rep. Skees  
01:06:59 Rep. Barrett  
01:08:04 Rep. Skees

01:09:10 **Motion:** Rep. Hansen moved that **SB 173 BE AMENDED.**

[EXHIBIT](#)(loh64a06)

**Discussion:**

01:10:48 Rep. Barrett  
01:11:27 Rep. Maclaren  
01:11:33 Helen Thigpen  
01:12:14 Rep. Skees  
01:12:20 Rep. Knox  
01:12:35 Rep. Reinhart  
01:14:44 Rep. Maclaren

01:15:12 **Vote:** Motion carried 16-4 by roll call vote with Rep. Knox, Rep. Rosendale, Rep. Stahl and Rep. Vance voting no. Rep. Berry and Rep. Swanson voted by proxy.

01:16:21 **Motion:** Rep. More moved that **SB 173 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:16:30 Rep. Skees  
01:16:46 Helen Thigpen  
01:17:19 Rep. Hansen  
01:17:23 Rep. MacLaren

01:17:57 **Vote:** Motion carried 13-7 by roll call vote with Rep. Barrett, Rep. Bennett, Rep. Berry, Rep. Malek, Rep. McNally, Rep. Reinhart and Rep. Swanson voting no. Rep. Berry, Rep. Rosendale and Rep. Swanson voted by proxy. Rep. Blasdel will carry the bill.

**EXECUTIVE ACTION ON SB 117**

01:19:36 Rep. McNally  
01:20:05 Rep. MacLaren  
01:20:19 Rep. O'Neil

01:20:53 Helen Thigpen

01:24:12 **Motion:** Rep. More moved that **SB 117 BE CONCURRED IN.**

01:24:27 **Motion:** Rep. Skees moved that **SB 117 BE AMENDED.**

[EXHIBIT](#)(loh64a07)

**Discussion:**

01:25:34 Rep. Stahl  
01:26:53 Rep. Barrett  
01:27:45 Rep. Reinhart

01:28:26 Rep Skees withdrew his motion to amend.

01:29:18 **Motion/Vote:** Rep. Hansen moved that **SB 117 BE AMENDED**. Motion carried unanimously by voice vote of those present and voting.

**EXHIBIT**(loh64a08)

01:29:52 **Motion:** Rep. More moved that **SB 117 BE CONCURRED IN AS AMENDED**.

01:29:53 Rep. Rosendale joined the meeting.

**Discussion:**

01:30:02 Rep. Barrett  
 01:32:19 Rep. McNally  
 01:33:49 Rep. MacLaren  
 01:34:08 Rep. Stahl  
 01:36:32 Rep. Moore  
 01:38:46 Rep. Barrett  
 01:40:20 Rep. Reinhart  
 01:42:51 Rep. Stahl  
 01:44:42 Rep. Berry  
 01:46:37 Rep. Ingraham  
 01:48:47 Rep. Greef  
 01:50:24 Rep. Stahl  
 01:53:08 Rep. Greef  
 01:53:25 Rep. Stahl  
 01:53:33 Rep. Vance  
 01:53:42 Rep. Skees  
 01:56:17 Rep. MacLaren

01:56:29 **Vote:** Motion failed 7-13 by roll call vote with Rep. Knox, Rep. Lavin, Rep. More, Rep. O'Neil, Rep. Rosendale, Rep. Skees and Rep. Vance voting aye. Rep. Swanson voted by proxy.

01:57:33 **Motion/Vote:** Rep. Hansen moved that **SB 117 BE TABLED AND THE VOTE REVERSED**. Motion carried 19-1 by voice vote with Rep. More voting no.

01:57:59 Rep. MacLaren  
 01:58:14 Rep. Hansen

01:58:37 Rep. Hansen moved that **A STUDY RESOLUTION THAT ADDRESSES FIRE FIGHTER BENEFITS BE DRAFTED**.

01:59:02 Rep. Reinhart  
 01:59:18 Rep. Hansen

02:00:00 **Vote:** Motion carried 19-1 by voice vote with Rep. Bennett voting no.

02:00:27 Rep. MacLaren  
 02:01:10 Rep. Barrett  
 02:01:21 Rep. Reinhart  
 02:02:24 Rep. MacLaren

02:02:31 **Motion/Vote:** Rep. Reinhart moved that **A STUDY RESOLUTION THAT ADDRESSES SUBDIVISION EXEMPTIONS BE DRAFTED.** Motion carried by voice vote with Rep. Knox, Rep. Bennett, Rep. Skees, Rep Berry, and Rep. O'Neil voting no.

02:03:34 Rep. O'Neil

02:04:53 Rep. MacLaren

**ADJOURNMENT**

Adjournment: 02:05:05

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Phoebe Williams, Secretary

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Additional Documents:

**EXHIBIT**([loh64aad.pdf](#))